



General Assembly

January Session, 2011

Raised Bill No. 1029

LCO No. 3268

03268_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING VICTIM IMPACT STATEMENTS IN CAPITAL MURDER CASES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 53a-46d of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2011*):

3 [A victim impact statement prepared with the assistance of a victim
4 advocate to be placed in court files in accordance with subdivision (2)
5 of subsection (a) of section 54-220 may be read in court prior to
6 imposition of sentence upon a defendant found guilty of a crime
7 punishable by death.]

8 (a) If a defendant is convicted of or pleads guilty to a capital felony,
9 a family member of the murder victim or his or her legal
10 representative may appear personally before the jury or, if there is no
11 jury, the court to present a victim impact statement prior to the jury or
12 the court returning a special verdict pursuant to subsection (e) of
13 section 53a-46a.

14 (b) The victim impact statement may include information presented

15 in the form of a narrative, photographs or a video recording that
16 describes the victim's general life history, family and social
17 relationships and accomplishments and the physical, emotional,
18 psychological and economic impact on the surviving family members
19 and the community of the victim's murder by the defendant.

20 (c) The court shall review the victim impact statement prior to its
21 presentation and may limit its content and the manner of its
22 presentation to ensure that there is no violation of any provision of the
23 general statutes, the Constitution of the state or the Constitution of the
24 United States.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	October 1, 2011	53a-46d
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Statement of Purpose:

To provide equal rights to victims in death penalty cases by clarifying the right of surviving family members or their legal representatives to present a victim impact statement during the sentencing phase of capital felony proceedings.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]